

***Delaware Health Resources Board  
Dover Behavioral Health Review Committee Meeting  
Monday, January 29, 2018 1:00 PM  
Thomas Collins Building  
540 South Dupont Highway Dover, DE 19901  
DDDS Training Room***

***Review Committee Members Present:***

Yrene Waldron, Julia O'Hanlon and Ted Becker.

***Staff Present:***

Latoya Wright and Joanna Suder.

***Call to Order and Welcome***

The meeting of the Review Committee for Dover Behavioral Health System (Dover Behavioral) was called to order at 1:10 p.m.

***Review of Dover Behavioral Application***

It was stated that on August 22, 2017, Dover Behavioral submitted a Notice of Intent for a 16-bed expansion for their facility. The application was received on September 29, 2017 with a capital expenditure of \$4,409,685. The public notice was posted on October 25, 2017. There was a request for a public hearing. The public hearing took place on January 10, 2018 in Dover DE. This application will have a 120 day review period. The deadline is February 22, 2018. It is anticipated that the Board will vote on the application at the February 15, 2018 meeting.

***Project Summary and Background Information***

In 2007, Universal Health Services (UHS), Inc. acquired the St. Jones Center for Behavioral Health from Bayhealth Medical Center. St. Jones Center for Behavioral Health opened in 1996 and served as Bayhealth Medical Center's psychiatric unit. Due to the absence of a core competency in psychiatry, coupled with operating losses for a number of years, it was decided to sell the facility. Bayhealth recognized UHS stability and expertise in providing behavioral health services when it decided ultimately to sell its facility. In 2007, the Delaware Health Resources Board approved the COPR application submitted by UHS to acquire St. Jones and operate it as a freestanding psychiatric hospital renamed as Dover Behavioral Health System (Dover Behavioral). Since the acquisition, the facility has expanded its services, stabilized the medical staff, and continues to fulfill its mission of providing accessible, high quality behavioral health care to the residents of Kent and Sussex Counties. For the year ending December 31, 2016, Dover Behavioral averaged 98% occupancy and as a result, consistently diverted individuals out of the area for behavioral health services. From January through August of 2017, occupancy has continued to be an average of 98% despite the fact that the facility added 8 additional beds in October of 2016. In order to continue to fulfill its mission, the hospital needs to expand its current bed capacity.

## **Current Behavioral Health Services**

### Access

Dover Behavioral offers free assessments to the community for those persons seeking mental health and substance abuse services twenty-four (24) hours per day, seven (7) days per week. The department is staffed by Master's prepared mental health professionals and registered nurses. Referrals are accepted from mental health professionals, medical professionals, friends and family, former patients, and educational providers. In addition to providing assessments in the facility, the department is contracted to provide mobile assessments in the emergency departments of Kent General, Milford and Nanticoke Memorial Hospitals. The purpose of this service is to complete a level of care assessment that assists the client with treatment and disposition decisions.

The facility is accredited by The Joint Commission (TJC), Certified by Centers for Medicare & Medicaid Services (CMS), licensed by the Delaware Office of Health Facilities Licensing and Certification (OHFLC), and is a participating provider for most insurance plans including Blue Cross Blue Shield of Delaware, Tricare, and Medical Assistance.

### Adult and Adolescent Inpatient Services

Dover Behavioral offers inpatient hospitalization for adults and adolescents ages 12 and older experiencing acute psychiatric symptoms and/or need medical detoxification for substances. The average length of stay for the program is 6-8 days. The programs offer comprehensive individual assessments, daily structured therapeutic programming, patient education, and allied therapies. Every patient receives a personalized treatment and discharge plan in addition to individual, group and family therapy. The treatment is directed by a psychiatrist that conducts an initial and ongoing mental psychiatric evaluation, medication evaluation and stabilization where necessary. Their highly qualified staff consists of psychiatrists, internal medical physicians, psychologist, social workers, registered nurses, activity therapists, nutritionist, and mental health technicians. Academic instruction is offered for adolescents by state certified teachers through Education Inc.

### Dual Diagnosis Inpatient Services

Many of the patients that seek services at Dover Behavioral suffer from both a psychiatric illness as well as a substance abuse disorder. For those clients, the facility offers a dual diagnosis inpatient unit that simultaneously addresses these issues. Those clients receive both the psychiatric services discussed above in addition to specialized education on the disease concept of addiction and 12 Step Involvement. A medically supervised chemical detoxification is another key component of the program.

### Partial Hospitalization Program for Adults and Adolescents (Day Treatment Programs)

For clients in need of support in transitioning from inpatient psychiatric care or requiring more intensive services than those offered in traditional outpatient therapy, Dover Behavioral offers a partial hospitalization program for adults, adolescents, and children ages 9-11.

The Partial Hospital Programs are tailored differently to ensure that activities and therapies reflect the specific stage of life needs of each individual. The Children, Adolescent and Adult Partial Hospital Programs are offered weekdays from 9:00 a.m. to 3:00 p.m. They provide intensive therapeutic assistance for individuals who need support as they strive to achieve a satisfying and productive life at home, in the workplace or school, and in the community. In 2012, an adolescent and adult program was opened in Georgetown, DE to meet the outpatient needs of Sussex County.

#### Steps to Intensive Outpatient Program Recovery

The application notes, the treatment choices available for adult residents of Kent and Sussex County Delaware suffering from substance abuse are limited. In 2015, the Division of Substance Abuse and Mental Health (DSAMH) opened a 16-bed detoxification center in Kent County to address lack of substance use services. Prior to this, the lack of services required many clients to travel north to New Castle County or to surrounding states for care. In response, Dover Behavioral Health System began offering the “Steps to Recovery” Program in late 2010 in Dover and early 2014 in Georgetown. The program is offered during the weekdays from 9:00 a.m. to 1 p.m. It differs from their dual diagnosis services as it addresses addiction as the primary disease and focuses on recovery from substance use on an outpatient basis. The program is staffed by a team of registered nurses, physicians and social workers specially trained and certified in the treatment of chemical dependency.

#### Leadership

Dover Behavioral is led by a stable, tenured team with extensive behavioral health experience. These characteristics have fostered a facility reputation for being a provider of high quality mental health services that is responsive to community needs. Communication with outside agencies and providers is valued and ensures the best outcome for their patients. The Governing Board and Management team work in tandem to ensure that the words Caring, Consistent, and Collaborative Healthcare are not just marketing slogans but are meaningful characteristics that Dover Behavioral take seriously and for which they are held accountable by their customers.

#### Proposed Addition

This proposal is being submitted to expand the current licensed bed capacity from 88 to 104 beds which is a 16 bed expansion. The estimated capital expenditure for the expansion is a \$4,409,685.

The public hearing on January 10, 2018 was held in Dover, DE. Representatives from organizations such as Dover Behavioral, Sun Behavioral Health, Meadowwood, Rockford Center, Universal Health Services and members of the public attended the hearing. Testimony at the hearing agreed that there is a need for access to additional behavioral health services such as additional bed capacity, however it was stated that Dover Behavioral’s proposal will impact other providers in the existing health care delivery system.

#### ***Review Considerations***

The Review Committee reviewed the following criteria for the proposal to determine whether the application meets or does not meet each criterion.

Criterion I: The relationship of the proposal to the Health Resources Management Plan (HRMP)  
While the Health Resources Management Plan does not specifically address psychiatric beds, the application notes there is a shortage of mental health and substance abuse beds for the residents of Kent and Sussex Counties. Projections indicate most of the state's population growth will occur in Kent and Sussex Counties. There will be an even greater need for mental health and substance abuse services. The 16-bed expansion will increase access to behavioral health services.

The Review Committee discussed the need for the additional beds and the ability to assess the need as it relates to existing service providers.

The Review Committee will discuss the criterion further before voting on criterion I.

Criterion II: The need of the population for the proposed project

As of December 31, 2016 Dover Behavioral averaged a 98% daily occupancy of its licensed inpatient beds. In addition, the facility experienced 358 no bed diversions to other inpatient facilities primarily in New Castle County. From January through August of 2017, the facility has operated at an average capacity of 98% and diverted 316 patients despite having added eight additional beds. They believe the number of diversions to be much higher since this number only includes the number of times an emergency department, family or mental health provider called seeking an inpatient bed admission for a specific patient. Emergency rooms and mental health providers may have multiple admissions during a 24 hour period but typically would stop calling once they have been notified by the facility that it is on diversion. Admissions to New Castle County psychiatric facilities require a commute of 30-120 minutes for the Delaware residents south of the Chesapeake and Delaware Canal. It is also worth noting that most of those patients being sent to facilities in New Castle County are placed on a 24 hour hold which means they are transported in the back of a police car in handcuffs. With the lack of adequate public transportation downstate, those patient's families are then burdened with trying to find their own transportation to New Castle County for visitation, family sessions, and for a discharge conference.

**Bed Availability**

The Review Committee discussed the available beds for acute inpatient psychiatric facilities in Delaware.

*Christiana Care	24 beds	New Castle County
Delaware Psychiatric Center	80 beds	New Castle County
Dover Behavioral	88 beds	Kent County
*Meadowood	90 beds	New Castle County
Rockford Center	128 beds	New Castle County

Source: Dover Behavioral Health application

\*Christiana Care does not accept involuntary admissions. This information was confirmed.

\*Also the HRB staff has confirmed that the Board approved and additional 6 beds for Christiana Care in September which will increase the total number of beds to 30 beds. HRB Staff also confirmed with Meadowood that they have 93 beds and is seeking a 7-bed expansion through an application submitted in November.

The Review Committee discussed the shortage of mental health and substance abuse beds for the residents of Kent and Sussex Counties as it relates to the projected population growth in Delaware.

	2010	2015	2020	2025	2030	2035	2040	2045	2050	2010-2050 Percentage Increase
<b>Delaware</b>	899,778	945,937	983,211	1,014,667	1,037,512	1,054,093	1,065,168	1,072,325	1,076,924	<b>19.7%</b>
<b>New Castle</b>	538,912	556,786	572,820	586,643	595,664	601,298	603,677	603,523	601,292	<b>11.6%</b>
<b>Kent</b>	162,978	173,529	180,912	187,199	193,038	198,264	202,731	206,665	210,262	<b>29.0%</b>
<b>Sussex</b>	197,888	215,622	229,479	240,825	248,810	254,531	258,760	262,137	265,370	<b>34.1%</b>

Source: Annual Population Projections, Delaware Population Consortium, Version 2016.0, October 2016

The Treatment Advocacy Center has estimated the minimum number of public beds necessary for adequate psychiatric services for a population of 100,000. Estimates were solicited “from 15 experts on psychiatric care in the US, [including] individuals who have run private and state psychiatric hospitals, county mental health programs, and experts on serious psychiatric disorders.” The estimates included beds for children and forensic patients. The consensus estimate of bed need by the 15 experts was 50 (range 40 to 60) public psychiatric beds per 100,000 populations. Given these findings, it seems reasonable to establish a range of 40 to 60 psychiatric beds per 100,000 populations as a minimum standard currently needed for reasonable psychiatric care in the US in light of the realities of the present funding system<sup>1</sup>. According to the Delaware Population Consortium, significant future population growth will take place in Kent and Sussex Counties.

According to the statistics above, the projected population growth and the number of beds available now, the Review Committee agreed there is a need for the additional beds.

The Review Committee discussed Dover Behavioral operating at 98% capacity. A follow up question was sent to explain the capacity levels.

The Review Committee agreed the application meets criterion II.

<sup>1</sup> <http://www.treatmentadvocacycenter.org/storage/documents/backgrounders/how-many-psychiatric-beds-does-america-need.pdf>

Treatment Advocacy Center March 2016

Criterion III: The availability of less costly and/or more effective alternatives to the proposal, including alternatives involving the use of resources located outside the state of Delaware.

The application states at the present time, there are no alternatives that exist which are readily accessible by the residents of Kent and Sussex Counties. Dover Behavioral is the only inpatient behavioral health provider for adults and adolescents in the area. Dover Behavioral Health is a provider for Medicare, Medicaid, TRICARE and most commercial insurance plans. When the facility is full, patients in need of mental health hospitalization are required to wait in emergency departments, be admitted to intensive care units to wait for a bed, or travel to New Castle County when beds become available there.

The Review Committee discussed the mental health population having to wait in emergency room departments for care. This is a known issue across the state.

The Review Committee agreed the application meets criterion III.

Criterion IV: The relationship of the proposal to the existing health care delivery system.

Dover Behavioral Health plays a critical role in the healthcare provider community by providing necessary services and collaborating with many other providers, agencies, groups and individuals to ensure an effective system of care. At this time, it is the only inpatient behavioral health provider for adults and adolescents in the area and is a provider for Medicare, Medicaid, TRICARE and most commercial insurance plans. In addition, the facility has a contract with the Division of Substance Abuse and Mental Health to provide inpatient care to involuntarily admitted indigent individuals. The facility has agreements with three of the four downstate medical/surgical hospitals to provide psychiatric assessments in their emergency departments. Finally, Dover Behavioral financially supports and has representation on the Delaware Rural Health Initiative. The need for bed capacity increase received letters of support from the downstate hospital systems, including legislature and community partners which are included in Tab 8 of the application.

### **Impact on Existing Providers**

Dover Behavioral notes, the impact of the 16 bed addition on the existing health care system will be overwhelmingly positive. There will be immediate greater access to behavioral health services for consumers in their own community which will reduce the need for traveling upstate. Pressure will be relieved in emergency departments and hospitals as they will spend less time housing psychiatric patients while waiting on beds to become available or transportation being arranged. Patient, family and hospital employee satisfaction is expected to substantially increase.

### **Referral Arrangements**

When Dover Behavioral is at capacity the following facilities are contacted to solicit bed availability:

Rockford Center  
Meadowwood Hospital  
Christiana Care Health System

Delaware Psychiatric Center  
Peninsula Regional Medical Center  
Shore Health System - Dorchester General Hospital

Dover Behavioral does not have formal referral agreements with these facilities but they collaborate in assisting callers to access appropriate services when there are no beds available in their facility. In the event that there are no psychiatric beds available, the referring hospital is obligated to keep the patient safe until a bed does become available.

Testimony provided at the public hearing from Sun Behavioral Health, a new 90-bed inpatient psychiatric hospital in Sussex County Georgetown that is due to open August of 2018, stated that this proposal will have an impact on the existing providers in the health care delivery system. Sun Behavioral stated the addition of 16 beds right before the opening of their facility will have an impact. Sun Behavioral will be recruiting and providing services to a similar population. Dover Behavioral will be providing services to the same population drawing from the Kent and Sussex County populations. Sun Behavioral stated Dover Behavioral's proposal will impact their facility by 16 beds. Sun Behavioral stated this will impact their recruiting efforts. It was also noted that Dover Behavioral was in opposition of Sun Behavioral's proposal approved by the Board in 2015 in which they filed subsequent appeals opposing their application. The appeals filed delayed Sun Behavioral's opening of their facility by seven months.

Testimony provided from Meadowwood, a 93-bed inpatient psychiatric hospital in New Castle County, New Castle, stated that they submitted an application for additional beds in 2010/2011 as well as Dover Behavioral for additional beds during that time. Meadowwood supported Dover Behavioral's application because it was apparent that there was a need, however Dover Behavioral was not in support of their application at that time. Meadowwood questions Dover Behavioral's collaboration efforts with similar providers in the health care delivery system. Meadowwood also noted that they currently have an application for a seven bed expansion and wants to know if Dover Behavioral is going to support their application.

Dover Behavioral provided a written response to staff on Friday afternoon January 26, 2018 addressing the testimony provided by Sun Behavioral and Meadowwood. Dover Behavioral stated their comments were devoid of any substantive basis. They asserted the comments appeared to be disgruntled gripes regarding the Board's scrutiny of their own applications and that the comments made were best for the commenting facility as opposed to what was best for the medical and treatment needs of the state of Delaware.

The Review Committee discussed the testimony provided at the hearing, Dover Behavioral's responses and statistical data provided by the Treatment Advocacy Center. It was stated that based on the statistics provided from the Treatment Advocacy Center, the population growth and the Opioid Crisis, the need is great for mental health services.

There was a discussion surrounding the referral process for patients. Are patients admitted to an acute care hospital first or can they be admitted directly to Dover Behavioral Health? A follow up question was sent to Dover Behavioral obtain this information.

The Review Committee agreed the application meets criterion IV.

Criterion V: The immediate and long-term viability of the proposal in terms of the applicant's access to financial, management and other necessary resources.

Dover Behavioral is owned and operated by Universal Health Services, Inc. (UHS), one of the nation's largest and most respected healthcare management companies, in business for over 40 years. UHS is a publicly traded company and has access to capital through the company. A line of credit is available from JP Morgan at a variable interest rate. Through its relationship with UHS, Dover Behavioral is assured that the needed resources are readily available when necessary. The Pro Forma and completed schedules in the application provide detailed information.

**Recruitment**

Dover Behavioral anticipates the need to hire approximately 10-15 new employees in year one (1) of the 16 bed additions operation. There currently exists a proven track record of attracting talented and successful mental health professionals to their facility. Since 2010, the number of employees needed to operate has grown from 150 to 260, and from three (3) attending psychiatrist to six (6) as of December 31, 2016. In addition to this recruiting success and stability, most of the nursing school programs in Delaware rotate their students through the facility for their psychiatric rotations. Secondly, Delaware State University, Wilmington University, and Wesley College have agreements with Dover Behavioral that allow for students seeking mental health degrees to complete their internships. In addition to these local resources, UHS has national nursing and physician recruiters to assist with filling the vacancy needs of the facility.

The Review Committee agreed the viability of any proposal is uncertain, however, given Dover Behavioral's history and network, it is assumed they have the financial resources. The Review Committee inquired about the growth in the number of employees since 2010. If the growth pertained to Dover Behavioral or other UHS facilities in Delaware?

Also, there was a question regarding the correlation between the occupancy rate and average length of stay on Schedule 6 of the application. Follow up questions were sent to further clarify the information.

The Review Committee will wait for further information before voting on criterion V.

Criterion VI: The anticipated effect of the proposal on the costs of and charges for health care.  
The following projected costs during its first full year of operations are as follows:

Financial Impact (first full year of operations)

Estimated effect on annual expenses:	\$ 1,430,421
Estimated effect on annual revenue:	\$ 3,868,757
Estimated effect on individual charges:	\$ 0.00



Based on the figures provided, it is interpreted that there will be no change in costs to the individual for this proposal.

The Review Committee reviewed and discussed Schedule 4-Statement and Expenses in the application. The following questions were sent to provide clarity regarding the changes in dollar amounts from 2015 to 2016 and year 1 of the new bed expansion:

- Indigent Care
- Direct Patient Care
- Maintenance
- Management Fee

The Review Committee also wanted Dover Behavioral to clarify if the 16 beds are already constructed. If so, why are there projected costs for the proposal?

The Review Committee will wait for further information before voting on criterion VI.

Criterion VII: The anticipated effect of the proposal on the quality of health care.

Dover Behavioral is certified by Medicare and Medicaid. They are also accredited by the Joint Commission on Accreditation of Healthcare Organizations. The 16 bed expansion will enable the facility to appropriately address the behavioral health needs of the community it serves. During construction the project was designed to minimize the interruption of existing services being provided, e.g. no programs were closed to accommodate the expansion. The 16 beds will afford the residents of Kent and Sussex County greater access to more services without needing to commute long distances. When patients require transportation to hospitals in New Castle County, they are frequently placed on a 24 hour commitment which is a traumatic experience for many. The additional bed capacity has been supported by the local healthcare community in which the letters of support are provided in the application. Greater access with less wait time will improve the quality of care and outcomes for down state residents as well as the local community of Kent County.

A follow up question was sent to inquire about the transportation services Dover Behavioral utilizes for transporting patients.

The Review Committee agreed the application meets criterion VII.

Other Review Considerations

Greater access with less wait time will improve the quality of care and outcomes for down state residents as well as the local community of Kent County. The addition of the 16 beds will improve the delivery of services. The number of people seeking behavioral health services is not going to decrease. There are no other facilities looking to expand inpatient mental health services in the Kent County community. Dover Behavioral is a Medicaid provider and provides indigent care. Dover Behavioral asserts the expansion will enhance the health care delivery system and address the health needs of the community. The facility is currently operating at capacity and is not able to meet their mission of providing high quality behavioral health services. The

expansion will meet or exceed the energy codes and also meet the requirements for the Americans with Disabilities Act.

***Next Steps***

Staff will send the follow up questions to Dover Behavioral and schedule another review committee meeting.

***Adjourn***

The meeting adjourned at 2:40 p.m.

***Guests Attended***

Christine Hoh	University of Delaware
Jean-Charles Constant	Dover Behavioral Health
William J. Peters	Dover Behavioral Health